IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

WP(C).No. 15367 of 2007(D)

PETITIONER:

U.R.JAYACHANDRAN,
S/O.RAGHAVAN, UDAYAMANDIRATHIL,
THYKKATTUSSERI CHERTHALA,
LICENSEE OF TODDY SHOP NO.T.S.128/07-08.

BY ADV. SRI.A.N.RAJAN BABU
SMT.K.SUNITHA VINOD
SRI.P.GOPALAKRISHNAN (MVA)

RESPONDENTS:
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1. DISTRICT COLLECTOR,
ALAPPUZHA.

2. THE ASST. EXCISE COMMISSIONER,
ALAPPUZHA.

3. THE CIRCLE INSPECTOR OF POLICE,
CHERTHALA.

4. THE SUB INSPECTOR OF POLICE,
CHERTHALA.

5. OMANA, W/O.NARAYANAN,
KOOTTUNGAL VEEDU, KUTTAMCHAL,
THAIKKATTUSSERY, CHERTHALA.

6. DEEPTHI, W/O.SURESH,
CHIRAYIL, KUTTAMCHAL, THAIKKATTUSSERY,
CHERTHALA.

7. RAJU, VATTATHARA NIKATHIL,
KUTTAMCHAL, THAIKKATTUSSERY,
CHERTHALA.

BY ADV. SRI.R.S.KALKURA
SRI.M.S.KALESH
GOVT.PLEADER SRI.SALIM P.A

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of licence issued by 2nd respondent to the petitioner & 3 others for TS 128/07-08 dated 25-4-2007

Ext.P2: True copy of complaint filed by petitioner before the 3rd respodnent dated 12-5-2007

//True copy//

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P.R.RAMAN & K. HEMA, JJ.

W.P(C).NO.15367 OF 2007

Dated this the 29th day of May,2007

O R D E R

Raman,J.

Petitioner is a licenced toddy vendor as evidenced by Ext.P1 licence issued to him. He alleges that some physical obstruction being caused against the running of the toddy shop at the instance of respondents 5 to 7. Learned counsel for the respondents 5 to 7 submits that they are not causing any physical obstruction or causing any threat to the life or property of the petitioner. The same is recorded. So long as the petitioner is running a toddy shop with a valid licence issued to him, there cannot be any physical obstruction to the ingress and egress of the business premises of the petitioner. In case there is any such obstruction caused and if the petitioner approaches the Circle Inspector of Police or Sub Inspector of Police (respondents 3 and 4), they shall give necessary protection to the petitioner and remove the obstruction, if any, caused. However, this order shall not stand in the way of respondents 5 to 7 expressing any protest in a lawful and peaceful manner.

P.R.RAMAN,
Judge.

K.HEMA,
Judge.

kcv.S